



*Selah Planning Commission  
Regular Meeting  
March 17, 2015  
5:30 p.m.  
City Council Chambers*

*Chairman:  
Commissioners:*

Willie Quinnell  
Dillon Pendleton  
Lisa Smith  
Eric Miller  
Carl Torkelson

CITY OF SELAH  
115 West Naches Avenue  
Selah, Washington 98942

City Planner:  
Secretary:

Tom Durant Consultant  
Caprise Groo

## AGENDA

- A. Call to Order -
- B. Roll Call
- C. Agenda Changes
- D. Communications
  - 1. Oral

This is a public meeting. If you wish to address the Commission concerning any matter that is not on the agenda, you may do so now. Please come forward to the podium, stating your name and address for the record. The Chairman reserves the right to place a time limit on each person asking to be heard.

- 2. Written - None

- E. Approval of Minutes
  - 1. December 16, 2014 Minutes

- F. Public Hearings
  - 1. Old Business - None
  - 2. New Business - None

- G. General Business
  - 1. Old Business -
  - 2. New Business-
    - 1. Proposed Amendment to Title 10, Chapter 10.12:  
Repeal **SMC 10.12.040 Designated two-family residential lots.**
    - 2. Proposed Amendment to Title 10, Chapter 10.28, Table A-5:  
Amend the Table to remove two-family dwellings as a Class 1 use in the R-1 zone.  
Repeal SMC 10.28.040(1)

- H. Reports/Announcements
  - 1. Chairman
  - 2. Commissioners
  - 3. Staff

- I. Adjournment

Next Regular Meeting: To Be Announced

City of Selah  
**Planning Commission Minutes**  
of  
December 16, 2014

Selah Council Chambers  
115 W. Naches Ave.  
Selah, Washington 98942

A. Call to Order

The meeting was called to order by Co-Chairman Smith at 5:32p.m.

B. Roll Call:

Members Present:	Commissioners: Mil'er, Torkelson, Smith, and Pendleton.
Members Absent:	Commissioner Quinnell.
Staff Present:	Caprise Groo, Secretary
Guests:	Joe Henne, Public Works Director.

C. Agenda Changes: None.

D. Communications:

- |    |          |      |
|----|----------|------|
| 1. | Oral:    | None |
| 2. | Written: | None |

E. Approval of minutes

1. November 4, 2014.

Co-Chairman Lisa Smith asked for a motion to approve the November 4. 2014 minutes with corrections.

Commissioner Torkelson motioned to approve the minutes.

Commissioner Miller seconded the motion.

Co-Chairman Smith called for a voice vote and the minutes with corrections were passed with a vote of 4-0.

F. Public Hearings

- |    |               |      |
|----|---------------|------|
| 1. | Old Business: | None |
| 2. | New Business: | None |

G. General Business

- |    |               |   |
|----|---------------|---|
| 1. | Old Business: | None  |
| 2. | New Business: |   |
|    | 1.            | Required: OPEN PUBLIC MEETING ACT training. (Video) |

H. Reports/Announcements

1. Chairman
2. Commissioners
3. Staff

Commissioner Miller recommended new business. He suggested that the Planning Commission meet every third Tuesday of the month for learning/training and/or business. He stated that it seemed like there was plenty to learn.

Co-Chairman Smith stated that regular meetings for learning, if there is no business to handle, would be a question for the new City Administrator. He or she would need to define what the Planning Commission's authority was in regards to planning and training. If there is no business to handle then why have a meeting.

Commissioner Torkelson responded that there was the ability to work on the municipal code and expose areas that could be improved. Mr. Torkelson also agreed that the commission would still need direction from the City Administrator on what the commission was allowed to do.

Commissioner Miller referred to the video and asked if the policies were in place for records requests and who made the policies.

Co-Chairman Smith responded that the city council made the policies.

Mr. Henne stated that that law exists and that policies were in place to handle records requests. He explained the procedure to the commissioners. Mr. Henne stated that he did not know why the Planning Commission was required to take this training.

Co-Chairman Smith stated that she had heard of newspapers suing for open records and typically the newspapers won.

Commissioner Torkelson stated that it was common in land development for a citizen to ask to look at the records to make sure things are being done correctly.

Secretary Caprise Groo stated that this training was required to be taken within 6 months of taking a public office. This went in to affect July 1, 2014.

Co-Chairman Smith acknowledged Mr. Wayne Worby.

Wayne Worby: 200 Weems Way, Selah WA 98942. Mr. Worby stated that it wasn't just newspapers that were filing law suits. It was private citizens that were filing the suits and winning cash awards.

Co-Chairman Smith responded that she had heard mainly about the newspapers and prisoner law suits.

Mr. Worby continued discussing open records rules and the responsibility of the Planning Commission. He also talked about the Association of Washington City's.

Co-Chairman Smith asked Joe Henne about the search for a new City Administrator.

Mr. Henne replied that the application period closed on Dec 12<sup>th</sup> 2014. He stated that the Major would like to have a person in on board the first to middle of February.

Co-Chairman Smith stated that training was a good point to bring up with the new City Administrator. He or she could review whether the Planning Commission needed more training. She brought up the issue of marijuana and that credit cards are now being accepted for payment.

Commissioner Miller and Co-Chairman Smith discussed the issue.

Commissioner Miller stated the community that wants to do this is very energetic.

Co-Chairman Smith asked Mr. Henne if there were any issue that may come up between now and January.

Commissioner Torkelson stated that there were plan amendment and such coming up.

Mr. Henne replied that there were some revisions to the zoning code coming before to long.

Commissioner Miller asked were these where coming from.

Mr. Henne replied that some were coming from the City Attorney. He also told the Commissioners that he had asked Mr. Davison to stay thru the end of January. He informed the Commission that the contract planner would start in February.

Commissioner Miller wondered why the City was not hiring a full time planner. He asked why the city would do that. Is the Planner not busy?

Mr. Henne stated that the planner was busy.

Commissioner Miller stated that it seem like the City Planner should be a full time position. He asked if it was more efficient to have a part-time Planner.

Mr. Henne stated that the last City Administrator and the City Council had agreed to have a part time Planner. Now that decision is being revised and it will be review monthly and addressed in March 2015.

I. Adjournment

Co Chairman Smith moved to close the meeting. Commissioner Torkelson seconded the motion. The meeting was adjourned at 6:14 pm with a voice vote of 4-0.

## CITY OF SELAH PLANNING COMMISSION

### STAFF REPORT

March 12, 2015

**PROPOSAL:** Wayne Worbey has made a request to the Selah City Council to amend portions of SMC 10.12 and 10.28 to repeal certain provisions allowing duplexes in the One Family Residential (R-1) zoning district.

Under the requirements of SMC 10.40.020, amendments to text, standards or other provisions of Title 10 are initiated by the action of the legislative body or the planning commission. The proponent presented his request to the City Council who indicated that it should be considered by the Planning Commission.

Action on Code amendments is by the City Council after a recommendation from the Planning Commission or Hearing Examiner (SMC 10.40.020(b)).

**CURRENT CODE PROVISIONS:** SMC 10.12.040 allows ten percent of the lots in a proposed land division of ten or more lots to be designated for future two-family dwellings (or duplexes). The Ordinance requires the reviewing authority, specifically the Hearing Examiner, to consider the lot locations and to carefully consider adjacent properties to ensure harmonious compatibility. These provisions indicate that designated two-family residential lots are not permitted outright, but that the reviewing body has the authority to deny them if requirements are not met. The specific standards required for two-family residential lots by SMC 10.12.040 are (emphasis is added):

1. They must be in a **proposed** land division of ten or more lots
2. Ten percent of the lots may be so designated.
3. The lots shall be clearly identified on the recorded subdivision providing public disclosure of such approval.
4. The minimum lot size is 9,000 square feet **or** the minimum lot size based on slope as specified in SMC 10.12.030 (the higher minimum lot sizes range from 10,000 square feet to five acres based on steepness of slope).
5. The requirement for the Hearing Examiner to consider adjacent properties to ensure harmonious compatibility.

SMC 10.28, Table 10.28A lists the land uses that are permitted by zoning district under the zoning ordinance and assigns a class of use based on the level of review required, Class 1 being permitted, Class 2 is administrative and Class 3 are conditional uses. Two family dwellings (duplex) is listed as a Class 1 use in the R-1 zone subject to footnote 'I', which corresponds to SMC 10.28.040(I) and specifies that duplexes are only permitted on lots that have been designated per SMC 10.12.040 (i.e., approved lots in proposed land divisions). This provision repeats the requirement of careful consideration by the Hearing Examiner ensuring harmonious compatibility. However, this presumably should have already been done, since the lots would have already been designated and the Hearing Examiner does not have jurisdiction over Class 1 uses.

The two-family residential lots allowed by SMC 10.12.040 would also be subject to the requirements for land divisions of SMC 10.50. One notable standard is SMC 10.50.041(e)(6)(C) which requires a minimum lot size increased by ten percent on corner lots. This would presumably be in addition to the larger minimum lot size required for two-family residential lots and would increase it to 9,900 square feet or more where the larger lot sizes required for slopes apply.

**REQUEST SPECIFICS:** The specific requests for Code Amendment made by the proponent are the repeal of SMC 10.12.040, deletion of the provision of SMC 10.28.040 that permit duplexes in the R-1 zone and any other Code provision that would allow duplexes in the R-1 zone. The request makes a number of arguments based on the Growth Management Act, intent of the zoning ordinance and comprehensive plan policies. It also raises issues concerning the amount of rental housing in the community.

**BACKGROUND & HISTORY:** The provisions of SMC 10.12.040 and 10.28 that are proposed for amendment were adopted in 2004 under Ordinance 1634. They were amended to their current form on January 13, 2015 by Ordinance 1958, the purpose of which was to make a connection between the two-family lot provision of SMC 10.12.040 and Table 5-A and the regulatory notes of SMC 10.28.040.

**ENVIRONMENTAL REVIEW:** A Determination of Nonsignificance (DNS) (971.42.14-07) was issued on March 11, 2015. It was issued without a comment period under WAC 197-11-340(2)(a) because there are no agencies with jurisdiction.

**COMPREHENSIVE PLAN & ZONING ORDINANCE:** The purpose of the One-Family Residential (R-1) zone is to provide for single-family residential development where urban governmental services are currently available or will be extended to facilitate development. Specific intent statements include providing for an orderly, phased transition from vacant or partially developed to single-family residential development, facilitate coordinated and collaborative public infrastructure investment, require individual lot connection to municipal water and sewer systems, require development to meet the City's minimum urban development standards, and ensure that R-1 land uses and land division will facilitate urban development and the extension of utilities (SMC 10.12.010).

The R-1 zoning district corresponds to the Low Density Residential designation from the Comprehensive Plan which provides for densities of up to 5 dwelling units per gross acre. Clustering of dwelling units within the permitted density range is encouraged. The comprehensive plan also includes the following statement with regard to the LDR designation:

"The predominate use will be low density residential; however, it is the intent and desire of the City of Selah that its low density neighborhoods develop with a mix of housing types including single-family, duplexes, townhouses and multi-family dwellings. The mix of housing types will be limited by the maximum permissible density and zoning standards will regulate development to assure compatibility" (City of Selah Urban Growth Area Comprehensive Plan, p. 34).

Comprehensive Plan Policies relevant to this issue, and including the policies in the request made for this amendment are as follows:

**Objective LUGM 3:** Encourage economic growth while maintaining quality development and controlling the cost of public improvements in Selah's UGA.

**Policy LUGM 3.2:** Direct development to areas where infrastructure (water, sewer, and streets) is either present, can easily be extended, or is planned to be extended.

**Goal:** Encourage the availability of affordable housing to all economic segments of the population, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

**Objective HSG 1:** Maintain and upgrade the character of existing residential neighborhoods.

**Policy HSG 1.1:** Discourage rezoning which would allow incremental conversion of existing single-family dwellings to duplexes or multi-family dwellings.

**Policy HSG 1.2:** Encourage new single-family development throughout existing single-family neighborhoods as redevelopment and infill construction at appropriate densities.

**Objective HSG 2:** Encourage new residential development to approximate existing residential densities and housing mix levels.

**Policy HSG 2.1:** Encourage the combined net density of all residential development to remain at present levels. Exceptions to this policy should be permitted where the developer can demonstrate that the quality of the project design, construction and amenities warrants a different housing density.

**Policy HSG 2.2:** Ensure codes and ordinances promote and allow for a compatible mix of housing types in residential areas.

**Objective HSG 3:** Minimize the negative impacts of medium and high-density residential projects on adjacent low-density residential areas, but encourage mixed use/density projects.

**Objective HSG 4:** Encourage new residential construction to be compatible with existing residential development.

**Policy HSG 4.1:** Encourage developers to use private covenants and deed restrictions which specify architectural, maintenance and landscaping standards within their development.

#### **ISSUES:**

**Definitions:** The terms Multifamily Dwelling and Two-Family Dwelling (or Duplex) are defined by the Zoning Ordinance (Appendix A to Chapters 10.02 through 10.48). Although not specifically defined in the Comprehensive Plan, the terms are used in a way that clearly distinguishes them, both in the text and in the tables, primarily in the Land Use Element. It is clear that with respect to the plan policies and zoning ordinance requirements it is not intended that duplexes be included in the term multi-family dwellings.

**Density:** The Comprehensive Plan requires density to be limited to that allowed in the Low Density Residential plan designation. This is also referenced in the intent statement that encourages a mix of housing types. Table 1 evaluates the consistency of the existing code requirements to this density standard. Based on 10% of the lots being designated duplex lots with the minimum allowed lot size of 9,000 square feet and the remainder of the lots at the 8,000 square foot minimum lot size, Table 1 shows that the maximum level of development allowed under the existing code standards is consistently at a gross residential density of 4.4 dwelling units per acre. This is less than the maximum density of five units per acre.

**Table 1: Maximum Gross Density of Subdivision Under SMC 10.12.040**

<b>Acreage</b>	<b>Net Acreage</b>	<b>Number of Duplex Lots (9,000 sf)</b>	<b>Number of SFR Lots (8,000 sf)</b>	<b>Total Dwelling Units</b>	<b>Gross Density (dwelling units per acre)</b>
10	8	1	42	44	4.4
20	16	2	84	88	4.4
25	20	2	106	110	4.4
30	24	3	127	133	4.4
50	40	5	212	222	4.4

**Notes:**

1. Net acreage assumes 20% of land area dedicated to right-of-way, or 80% available for development
2. Duplex lots: 10% of total acreage with no rounding.
3. Number of SFR Lots is the net acreage divided by 8,000 after taking out the 9,000 sf duplex lots
4. Gross Density: Total dwelling units divided by Acreage

**Compatibility:** An evaluation of compatibility begins with existing zoning ordinance standards. The 9,000 square foot minimum lot size is fairly high. On corner lots, that may have more visibility, the minimum lot size goes up to almost 10,000 square feet. Other jurisdictions in the area considered by staff that allow duplexes in the R-1 or equivalent zone had minimum lot sizes between 7,200 and 8,000 square feet. In R-2 zones, minimum lot sizes can go down to 7,000 square feet. Setback requirements from the Selah Code should be sufficient to provide room for off-street parking and the parking standard of 4 off-street spaces (2 per unit) is consistent with typical parking requirements. The lot coverage standard for the R-1 zone is substantially less than that in the R-2 zone, which along with the larger minimum lot size should prevent over-building the lot.

It is harder to evaluate architectural features such as building materials through plat approval. However, developers could be encouraged to present covenants that demonstrate minimum standards and consistency with single-family construction.

**Analysis of Consistency with the Comprehensive Plan:** The standards of SMC 10.12.040 and 10.28 as they currently exist are consistent with the intent statement from the Comprehensive Plan for the Low Density Residential land use designation to develop low density neighborhoods with a mix of

housing types that include duplexes. The higher standards for two-family residential lots and the authority of the reviewing official to approve or deny based on compatibility is consistent with the policy of zoning standards to regulate development.

Objective LUGM 3 and Policy LUGM 3.2: While not inconsistent with the policy of directing development to areas where water, sewer and streets are present or can be extended, these standards don't really promote them and are not necessary for those policies to be met.

Objective HSG 1: The standards seem to be consistent with the goal of encouraging the availability of affordable housing and they do promote a variety of residential densities and housing types. The requirement and authority given to reviewing official to determine that the two-family lots are compatible with the neighborhood along with the higher standards for duplexes in the R-1 zone is supported by Objective HSG 1 to maintain and preserve the character of existing neighborhoods.

Policies HSG 1.1 and 1.2: There is no rezoning involved nor do the standards allow the conversion of existing single-family dwellings or redevelopment of existing single-family development. They are specifically limited to new lots. While designating two-family residential lots is not new single-family development, it doesn't discourage it. Ninety percent of the lots in a new plat under these provisions must be for single-family dwellings.

Objective HSG 2 and Policy HSG 2.1: Comparing the net residential density of the 90% of single-family lots in a given subdivision with the net density of the entire subdivision including the maximum number of allowable two-family lots, using the same assumptions in Table 1 above for determining gross density, it is determined that the net density of the single family lots would be 5.4 units per acre. Including the two-family lots, it is 5.5 units per acre. It would seem that this approximates the density that would be allowed in a new subdivision without the two-family lots. With regard to existing neighborhoods outside of the new plat, it may or it may not approximate the existing densities and housing levels depending on the neighborhoods being considered.

Policy HSG 2.2: The code standards as they exist are consistent with this policy in that they allow for a mix of housing types in residential areas. Assuming that the higher standards and the authority of the reviewing official to evaluate compatibility are effective, they would be consistent with the requirement that the mix of housing types be compatible.

Objective HSG 3: The code standards are consistent with encouraging mixed use/density projects. Otherwise, this objective does not apply because as shown above, they do not permit medium or high-density residential projects, as those terms are defined by the Comprehensive Plan.

Objective HSG 4 and Policy HSG 4.1: Consistency with this objective and policy depends on the effectiveness of evaluating the compatibility of the two-family residential lots with existing residential development. The fact that they require that evaluation, and give the reviewing official the authority to deny the application based on compatibility should be considered to promote consistency with these policies. The higher standards being imposed on two-family residential lots as described above are also consistent. Encouraging developers to use private covenants and deed restriction with specific

architectural, maintenance and landscaping standards and to include them in the evaluation would also be consistent.

**STAFF ANALYSIS:** Based on this evaluation, the existing code requirements are generally consistent with the comprehensive plan, especially based on the intent statement for the Low Density Residential plan designation that encourages a mix of housing types and also based on the determination that when combined with other existing zoning and subdivision standards, these standard don't result in the maximum allowable density being exceeded. If there is any uncertainty it is in how effective the standards are in ensuring the compatibility of two-family lots with existing residential neighborhoods.

It is also important to point out that although duplexes are shown to be a Class 1 (permitted) use in the R-1 zone, they are actually quite restricted. They are only allowed in proposed land divisions that must meet minimums in terms of size and number of units. The preliminary plat review process is the equivalent of a Class 3 review in terms of notice, review process and the discretion given to approve or deny. Other jurisdictions that allow duplexes in R-1 zones or their equivalent typically allow them on any lot, whether new or existing and often without specified limitation of the number of lots.

**RECOMMENDATION:** Leave the current code provisions as they are without change. The fact that they were just recently adopted with the new requirement for compatibility analysis is also a factor in this recommendation. If the Planning Commission or City Council feel that changes are appropriate, they should be to provide more specificity in how compatibility is to be reviewed and/or including the review criteria from the Zoning Ordinance for Class 2 or 3 land uses.

## CITY COUNCIL, SELAH MUNICIPAL CODE REVISION

I AM PROPOSING THAT SELAH MUNICIPAL CODE BE REVISED TO ELIMINATE FROM CURRENT LANGUAGE THE FOLLOWING SECTIONS:

### **10.12.040 - Designated two-family residential lots.**

Within a proposed land division of ten or more lots ten percent of the lots may be designated for a future two-family dwelling. The proposed lot(s) shall be considered by the reviewing body and, once the lot location(s) are approved, the lot(s) shall be clearly identified on the recorded subdivision providing public disclosure of such approval.

The minimum lot size requirement of any lot(s) designated for a future two-family dwelling shall be a minimum of nine thousand square feet or such minimum lot size based on slope specified in Section 10.12.030.

### **10.28.040 Residential Table A**

Remove from R-1 (I) that permits the siting of a duplex in an R-1 zoned developments

**Any other Selah Municipal Code section(s) that would allow permitting of any new multi-family residences in an R-1 zone.**

## **RATIONALE**

### **Planning goals.....RCW 36.70a.020.**

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

**(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.** *...there is no requirement, directive, incentive, suggestion that a growth management goal "promote a variety of residential densities and housing" is satisfied by placing multi-family housing into an R-1 zoned area. Homogenous grouping is the accepted method of presenting the variety of residential densities. Placing residential housing in commercial/industrial zoning is equally inconsistent as multi-family housing into R-1 developments.*

**(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.** *...The right to enjoy the monetary value accrued by owning one's home should not be negatively impacted by an arbitrarily imposed Municipal Code.*

**(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.** *There is no record of evidence showing that citizen participation was considered or used in developing the above Code text proposed to be purged.*

10.12.010 - Purpose.

**The one-family residential (R-1) zoning district is established to provide for single-family residential development** where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost.

Specifically, the intent of this district is to:

- (1) Provide for an orderly, phased transition from vacant or partially developed land to single-family residential development;**
- (2) Facilitate coordinated and collaborative public infrastructure investment;
- (3) Require individual lot connections to municipal water and sewer systems;
- (4) Require developments to meet the city's minimum urban development standards;
- (5) Particular emphasis shall be given to ensuring that R-1 uses and land divisions will facilitate future urban development and extension of utilities.**

10.14.010 - Purpose.

**The two-family residential (R-2) zoning district is established to provide for single or two-family residential development** where urban governmental services are currently available or will be extended by the proponent to facilitate development at no public cost. This zoning district will not be established in an area unless public sewer and water facilities are in existence or will be extended by the proponent simultaneous with project development.

Goal Setting ...

Housing and Quality of Life: **Maintain and enhance the present quality of Selah's schools, police and fire protection; improve accessibility to affordable housing;** revitalize the central business district; and develop a proactive public/private business attraction program. The main strategy to this effort will be to focus on improving what Selah already has in the anticipation that the rest will follow

Housing

GOAL: Encourage the availability of affordable housing to all economic segments of the population, **promote a variety of residential densities** and housing types, and **encourage preservation of existing housing stock.**

**Objective HSG 1: Maintain and upgrade the character of existing residential neighborhoods.**

**Policy HSG 1.1: Discourage rezoning which would allow incremental conversion of existing single-family dwellings to duplexes or multi-family dwellings.**

**Policy HSG 1.2: Encourage new single-family development throughout existing single-family neighborhoods as redevelopment and infill construction at appropriate densities.**

**Objective HSG 2: Encourage new residential development to approximate existing residential densities and housing mix levels.**

**Policy HSG 2.1: Encourage the combined net density of all residential development to remain at present levels**

**Objective HSG 3: Minimize the negative impacts of medium and high-density residential projects on adjacent low-density residential areas**

**Objective HSG 4: Encourage new residential construction to be compatible with existing residential development.**

- Since Selah goals appear to have no appropriate number or level of rental housing that is to be achieved, why does the city prioritize the addition of multi-family development?
- Is not 52% of all residential housing being rental units, enough for our community?
- Owner occupied residences enjoy a median income of over twice that of non-owner occupied residences.
- An unintended consequence may be the 48% poverty level of the student population in the Selah School District.

**DATE:** March 4, 2015  
**TO:** Simon Sizer, Yakima Herald Republic  
**FROM:** Thomas R Durant, Community Planner  
**SUBJECT:** Legal Notice: **PUBLICATION DATE: FRIDAY, MARCH 6, 2015**  
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## **CITY OF SELAH PLANNING COMMISSION**

### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Tuesday, March 17, 2015, commencing at 5:30 p.m., or as soon thereafter as practical, in Council Chambers, Selah City Hall, 115 W. Naches, Selah, WA., the Planning Commission will conduct a public hearing to receive testimony and to consider adoption of text amendments to Selah Municipal Code as requested by Wayne Worby. The proposed text amendments are as follows:

Proposed Amendment to Title 10, Chapter 10.12:

Repeal **SMC 10.12.040 Designated two-family residential lots.**

Proposed Amendment to Title 10, Chapter 10.28. Table A-5:

Amend the Table to remove two-family dwellings as a Class 1 use in the R-1 zone.

Repeal SMC 10.28.040(l)

A copy of the request to amend the Selah Municipal Code is available for public inspection during regular business hours (8:00 a.m. to 5:00 p.m.) at the Selah Planning Department, 222 South Rushmore Road, Selah, WA.

Dated this 4th day of March, 2015.

/s/

Thomas R Durant, Community Planner

## DETERMINATION OF NONSIGNIFICANCE

1. **DESCRIPTION OF PROPOSAL:** Amend Selah Municipal Code, Title 10, Chapter 10.12.040, 10.28.020 Table 28-A5 and 10.28.040(1) to eliminate provisions that allow two-family residential lots and two-family residences in the R-1 zone within the City of Selah.

2. **PROPONENT:** City of Selah

3. **LOCATION OF PROPOSAL:** Incorporated City of Selah

4. **LEAD AGENCY:** City of Selah

5. **FILE NO.:** Environmental Checklist 971.00.15-01

6. The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was issued after review of the completed Environmental Checklist, proposed amendments to Chapter 10.28 and other information on file with the Lead Agency. This information is available to the public on request.

This DNS is being issued under WAC 197-11-340(2); there is no comment period.

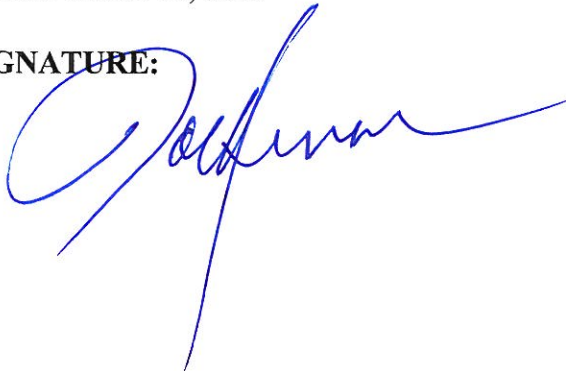
7. **RESPONSIBLE OFFICIAL:** Joe Henne

8. **POSITION/TITLE:** Interim City Administrator/SEPA Responsible Official

9. **ADDRESS:** 115 West Naches Avenue, Selah, Washington 98942

10. **DATE:** March 11, 2015

11. **SIGNATURE:**

A handwritten signature in blue ink, appearing to read 'Joe Henne', is written over the signature line.